

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

v.

HARMAN INTERNATIONAL INDUSTRIES,
INCORPORATED,

Defendant.

Civil Action No. 05-10990-DPW

STIPULATION CONCERNING BRINKS HOFER

Plaintiff, the Massachusetts Institute of Technology ("MIT"), and Defendant, Harman International Industries, Incorporated ("Harman"), (collectively, the "Parties"), hereby stipulate as follows with respect to the testimony of any attorney from Brinks Hofer Gilson & Lione ("Brinks Hofer"), and specifically Brinks Hofer attorney Meredith Addy:

1. Pursuant to the Court's May 19, 2006 Order (Docket Entry No. 75), Harman has agreed not to offer any Brinks Hofer lawyer's testimony at trial (whether live, through deposition, affidavit or declaration) on any issue in this litigation;
2. In return for that agreement, MIT hereby agrees not to take Ms. Addy's deposition, and the parties agree that Harman's production of information will be governed by the Court's May 1, 2006 Order (Docket Entry No. 72); and
3. Harman reserves the right to rely on a declaration or testimony by Ms. Addy in any post-trial proceedings/briefing in which Harman would seek to convince the Court to assess costs or fees against MIT. If that occurs, Harman agrees to make Ms. Addy available at that time for a

deposition focused on such issues, which would relate to her communications with MIT prior to the start of litigation, but which would not include any privileged information.

Dated: May 26, 2006

Massachusetts Institute of Technology,

By its attorneys,

/s/ Steven M. Bauer

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Respectfully submitted,

Harman International Industries, Inc.,

By its attorneys,

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